

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

297

CRM-M-49225-2023 (O&M)

Date of Decision: 11.12.2023

Amit Pandey Through His Father Shiv Kumar Pandey

.....Petitioner

Versus

State of Punjab and another

.....Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. J.S.Thakur, Advocate for
Mr. Amandeep Singh Gulati, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Ankit Chauhan, Advocate for
Mr. Anshul Jain, Advocate for respondent No. 2

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 73 dated 08.09.2023 under Sections 279 and 337 of IPC registered at Police Station Dhakoli, District SAS Nagar (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 16.09.2023 (Annexure P-2).

2. Vide order dated 20.10.2023 while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise/affidavit dated 16.09.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Dera Bassi and got their statements recorded. Report dated

04.12.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 73 dated 08.09.2023 under Sections 279 and 337 of IPC registered at Police Station Dhakoli, District SAS Nagar alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner (Amit Pandey through his father Shiv Kumar Pandey).

(N.S.SHEKHAWAT)
JUDGE

11.12.2023
M. Sikka

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No